

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Inventor(s)

Kazumasa FUKAZAMA et al.

Serial Number

10/766,470

Filed

January 29, 2004

For

STRUCTURE OF MAIN FRAME FOR CONSTRUCTION

MACHINES AND METHOD OF MANUFACTURING THE SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 AND 1.98

The Honorable Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

July 2, 2004

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56 applicant hereby notifies the United States Patent and Trademark Office of the documents which are listed on the attached PTO-1449 form and which the examiner may deem relevant to the patentability of the claims in the above-identified application. One copy of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of an Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for the listed foreign language documents, these documents are discussed beginning at the top of page 8 of applicant's specification disclosure. In addition, an English abstract is attached to Japanese 2978894.

It is respectfully requested that the examiner initial or otherwise mark one copy of forms PTO-1449 and forward the same to the applicants indicating that the documents listed thereon have been considered.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our deposit account No. 22-0256.

Respectfully submitted,

VARNDELL & VARNDELL, PLLC

R./Eugene Varndell, Jr. Attorney for Applicants

Registration No. 29,728

Atty. Case No. VX042619 106-A South Columbus St. Alexandria, VA 22314 (703) 683-9730

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Substitute f	for form 1449A/PT	ro	<u> </u>	Complete if Known			
				Application Number	10/766,470		
INFOR	MATION	DIS	CLOSURE	Filing Date	January 29, 2004		
STATEMENT BY APPLICANT				First Named Inventor	Kazumasa FUKAZAWA et al.		
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(use a	s many sheets as	necessa	ary)	Examiner Name			
Sheet	1	of	1	Attorney Docket Number	VX032571		

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Excited Document	Pages, Columns, Lines, Where relevant Passages or Relevant Figures Appear		
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	FOREIGN PATENT DOCUMENTS										
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Initials *	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	1					
	1	JP 2978894	10/9/1999	Komatsu Ltd.		P					
	2	JP 6-49284	7/5/1994			Р					
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^{*}EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with excommunication to applicant.

Applicants unique citation designation number (optional).
 See Kinds of Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.
 Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3).
 For Japanese patent documents, indication of the year of the reign of the Emperor must preceded the serial number of the patent document.
 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16. if possible.
 Applicant is to place a check mark here if English language translation is attached, where "P" means a partial translation, such as an abstract.

Substitute f	or form 1449A/P1	ro		Complete if Known			
				Application Number	10/766,470		
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 Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3).
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 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16. if possible.
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